

107TH CONGRESS  
1ST SESSION

# S. 579

To amend the Mutual Educational and Cultural Exchange Act of 1961 to authorize the Secretary of State to provide for the establishment of nonprofit entities for the Department of State's international educational, cultural, and arts programs.

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## IN THE SENATE OF THE UNITED STATES

MARCH 20, 2001

Mr. BIDEN introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

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## A BILL

To amend the Mutual Educational and Cultural Exchange Act of 1961 to authorize the Secretary of State to provide for the establishment of nonprofit entities for the Department of State's international educational, cultural, and arts programs.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FINDINGS.**

4 The Congress makes the following findings:

5 (1) It is in the national interest of the United  
6 States to promote mutual understanding between  
7 the people of the United States and other nations.

1           (2) Among the means to be used in achieving  
2           this objective are a wide range of international edu-  
3           cational and cultural exchange programs, including  
4           the J. William Fulbright Educational Exchange Pro-  
5           gram and the International Visitors Program.

6           (3) Cultural diplomacy, especially the presen-  
7           tation abroad of the finest of the creative, visual,  
8           and performing arts of the United States, is an es-  
9           pecially effective means of advancing the United  
10          States national interest.

11          (4) The financial support available for inter-  
12          national cultural and scholarly exchanges has de-  
13          clined by approximately 10 percent in recent years.

14          (5) There has been a dramatic decline in the  
15          amount of funds available for the purpose of ensur-  
16          ing that the excellence, diversity, and vitality of the  
17          arts in the United States are presented to foreign  
18          audiences by and in cooperation with United States  
19          diplomatic and consular representatives.

20          (6) One of the ways to deepen and expand cul-  
21          tural and educational exchange programs is through  
22          the establishment of nonprofit entities to encourage  
23          the participation and financial support of multi-  
24          national companies and other private sector contrib-  
25          utors.

1           (7) The United States private sector should be  
2           encouraged to cooperate closely with the Secretary of  
3           State and the Secretary’s representatives to expand  
4           and spread appreciation of United States cultural  
5           and artistic accomplishments.

6 **SEC. 2. AUTHORITY TO ESTABLISH NONPROFIT ENTITIES.**

7           Section 105(f) of the Mutual Educational and Cul-  
8           tural Exchange Act of 1961 (22 U.S.C. 2455(f)) is further  
9           amended—

10           (1) by inserting “(1)” after “(f)”; and

11           (2) by adding at the end the following new  
12           paragraphs:

13           “(2) The Secretary of State is authorized to provide  
14           for the establishment of private, nonprofit entities to assist  
15           in carrying out the purposes of the Act. Any such entity  
16           shall not be considered an agency or instrumentality of  
17           the United States Government, nor shall its employees be  
18           considered employees of the United States Government for  
19           any purposes.

20           “(3) The entities may, among other functions—

21           “(A) encourage United States multinational  
22           companies and other elements of the private sector  
23           to participate in, and support, cultural, arts, and  
24           educational exchange programs, including those pro-  
25           grams that will enhance international appreciation of

1 the cultural and artistic accomplishments of the  
2 United States;

3 “(B) solicit and receive contributions from the  
4 private sector to support these cultural arts and edu-  
5 cational exchange programs; and

6 “(C) provide grants and other assistance for  
7 these programs.

8 “(4) The Secretary of State is authorized to make  
9 such arrangements as are necessary to carry out the pur-  
10 poses of these entities, including—

11 “(A) the solicitation and receipt of funds for  
12 the entity;

13 “(B) designation of a program in recognition of  
14 such contributions; and

15 “(C) designation of members, including employ-  
16 ees of the United States Government, on any board  
17 or other body established to administer the entity.

18 “(5) Any funds available to the Department of State  
19 may be made available to such entities to cover adminis-  
20 trative and other costs for their establishment. Any such  
21 entity is authorized to invest any amount provided to it  
22 by the Department of State, and such amount, as well as  
23 any interest or earnings on such amount, may be used  
24 by the entity to carry out its purposes.”.

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